

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

January 25, 2006

In the Matter of
7 Carleton Place, LLC

Docket No. 2005-230
File No. SE76-1736
Wareham

RECOMMENDED FINAL DECISION

The parties through a Stipulation of Dismissal filed January 24, 2006, indicate that the petitioners wish to withdraw their claim for an adjudicatory appeal and request that this matter be dismissed as stipulated, with prejudice, waiving all rights to appeal and without costs or fees. I recommend that the request to withdraw the petitioners' claim for an adjudicatory appeal be allowed pursuant to 310 CMR 1.01(6)(e), and that in accordance with the Stipulation of Dismissal filed under 310 CMR 1.01(11)(d)(1) this matter be dismissed pursuant to 310 CMR 1.01(5)(a)15.f.i.

NOTICE

This decision is a recommended final decision of the Presiding Officer. It has been transmitted to the Commissioner for his final decision in this matter. This decision is therefore not a final decision subject to reconsideration under 310 CMR 1.01(14)(e), and may not be

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appealed to Superior Court pursuant to M.G.L. c. 30A. The Commissioner's final decision is subject to the rights of reconsideration and court appeal and will contain a notice to that effect.

Because this matter has now been transmitted to the Commissioner, no party shall file a motion to renew or reargue this recommended final decision or any part of it, and no party shall communicate with the Commissioner's office regarding this decision unless the Commissioner, in his sole discretion directs otherwise.

**This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.**

Ann Lowery
Presiding Officer

Adopted by Commissioner Robert W. Golledge, Jr., January 27, 2006.